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COMPACT ADMINISTRATOR

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DEPUTY COMPACT ADMINISTRATOR

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Adoption Cases: Patricia Reiss, Program Specialist
Same address & telephone as above.
E-mail: Patricia.Reiss@state.sd.us

Address Correspondence and Telephone Calls To: Deputy Compact Administrator

ICPC Office Hours: Monday - Friday, 8:00 to 5:00 p.m. Central Time Zone.

FAX: (605) 773-6834.

GENERAL INFORMATION

ICPC Code Citation. SDCL 26-13-1 through 26-13-8.

Statutory Penalties Under Article IV. A Class One (1) misdemeanor involving moral turpitude, SDCL sec. 25-5A-7.4, with maximum penalty of one (1) year incarceration, \$100 fine, or both, for failure to provide medical or social history prior to voluntary termination. A Class Six J (65) felony, with maximum penalty of two (2) years imprisonment, \$2,000 fine, or both, for compelling coercing, or forcing adoption (SDCL 25-6-4.1) or offering, giving, or receiving unauthorized consideration for adoption (SDCL 25-6-4.2).

Age of Majority. 18 years. SDCL sec. 26-1.1.

Court Jurisdiction. State Circuit Court. SDCL sec.25-5A-5.

SPECIAL INFORMATION

Custody Investigation. Requests for investigations in custody disputes may be forwarded directly to the appropriate circuit court or tribal court. Agency custody cases are fee basis.

REQUIREMENTS

Reports. Quarterly or upon request by administrative regulation.

Licensing Requirements. License required to place a child for adoption-relatives and guardians excepted. SDCL sec. 26-6-8.

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PLACEMENTS

Independent Adoptive Placements. No person other than a legal or putative parent may remove or aid in the removal of any minor from the state of South Dakota for the purpose of adoption until a valid consent to adopt or termination of parental rights has been obtained from all legal and putative parents. SDCL sec. 25-5A-7.1. Medical and Social History required prior to termination. No voluntary termination of parental rights shall be effective or operative unless prior to the giving of consent the parent(s) have completed a Medical and Social History form supplied by DSS. SDCL sec. 215A-7.2 and completed termination of parental rights counseling as required by SDCL sec 25-5A-22 through 25-5A-24.

Adoption Petition. No petition for adoption shall be granted until the child shall have lived within the proposed adoptive home for a period of six (6) months. SDCL sec. 25-6-9.

Residential Placements. Placements into children's residential care facilities require prior approval. C.G.S. 17a-152, 17a-175, 17a-182.

- Placements Requiring Interstate Approval. All placements into foster homes, proposed adoptive homes, group homes, residential facilities, parents and relatives when such placements fall within the guidelines set by the ICPC.

- Requirements for Placements. Approved ICPC-100A, child summary, and all other pertinent information. Proposed facility must be licensed.

- Approval of Facilities. The South Dakota DSS is responsible for licensing children's residential care facilities on an annual basis.

- Rate Setting. The South Dakota DSS negotiates directly with each facility in setting payment rates.

- Monitoring of the Child(ren). Responsibility rests with the sending agency.

- Philosophy for Placement on Non-Resident Youth. Placements are to be appropriate to the needs and the best interests of the individual youth(s) placed.

Requirements for Foster Care Placements. Licensure is required for each foster home caring for children. Approval for placement is required.

PAYMENTS

TANF Payments. Each case is investigated regarding eligibility of specified relative and legal responsibility of sending state, for non-resident child(ren) living in the home of a specific relative, with relative having full responsibility of care and supervision.

Medicaid Payments. Medicaid provided for a South Dakota child(ren) placed with foster families in other state until such time as agency custody is terminated.

Foster Care Payments. South Dakota foster family care rates paid for children who move out-of-state with their foster families. Receiving state rates paid for child(ren) placed in foster home of the receiving state.

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Special Education Payments. State is responsible for children in legal custody with an approved Individual Educational Plan [IEP].

USEFUL TELEPHONE NUMBERS

Child Abuse. 24-Hour telephone coverage with on-call child protective social workers statewide.

Juvenile Compact Office. (605) 773-4872.

Mental Health Compact Office. (605) 773-5991.